

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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DEVON ROBERTSON,

Plaintiff,

v.

STATE OF NEVADA, ex rel. Department of  
Health and Human Services; RUSSELL  
KLEIN; and GREGORY THORNTON

Defendants.

Case No. 3:17-cv-0057-LRH-WGC

ORDER

Before the court is defendants the State of Nevada ex rel. the Department of Health and Human Service, Russel Klein, and Gregory Thornton's (collectively "defendants") motion to dismiss plaintiff Devon Robertson's ("Robertson") complaint (ECF No. 1). ECF No. 7.

However, after the filing of defendants' motion, plaintiff Robertson filed an amended complaint. ECF No. 8. The filing of the amended complaint supersedes the original complaint in its entirety. Accordingly, defendants' motion to dismiss the complaint is now moot.

Therefore, the court shall deny the motion to dismiss without prejudice to allow defendants an opportunity to respond to the amended complaint.

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1 IT IS THEREFORE ORDERED that defendants' motion to dismiss (ECF No. 7) is  
2 DENIED without prejudice.

3 IT IS SO ORDERED.

4 DATED this 3rd day of April, 2017.

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6 LARRY R. HICKS  
7 UNITED STATES DISTRICT JUDGE  
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